

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	x
NOMINATION DI ANTONIO E PAOLO GENSI NI S.N.C.,	: Index No. 07-CV-6959 (RMB)
Plaintiff,	: ECF Case
-against-	:
H.E.R. ACCESSORIES LTD., PAN OCEANIC GROUP, LLC, RICHARD TERZI, HYMIE ANTEBY, SAM ANTEBY, JACK ANTEBY, CLAIRE'S BOUTIQUE'S INC., CLAIRE'S STORES, INC., SOCORRO ECHEVERRIA, d/b/a DEALT-IN-MARKETING, AGC INC., THOSE CHARACTERS FROM CLEVELAND, INC., AMERICAN GREETINGS CORPORATION, ARTLIST INTERNATIONAL, INC., ARTLIST INTERNATIONAL USA, INC., DIC I CORPORATION d/b/a DIC ENTERTAINMENT CORPORATION, HEARST HOLDINGS, INC., FLEISCHER STUDIOS, INC., KING FEATURES SYNDICATE, HOUGHTON MIFFLIN COMPANY, UNIVERSAL STUDIOS LICENSING LLLP, NINTENDO OF AMERICA, INC., JAMES K. BENTON, SANRIO COMPANY, LTD., SANRIO INC., VIACOM INTERNATIONAL, INC., JOHN DOES 1-50 and XYZ COMPANIES 1-50,	:
Defendants.	:

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of 12(b)(6) Motion to Dismiss, and Rule 7.1 Corporate Disclosure Statements, defendants AGC Inc., American Greetings Corp., Artlist International USA, Inc., DIC I Corporation d/b/a DIC Entertainment Corporation, Fleischer Studios, Inc., Hearst Holdings, Inc., Houghton Mifflin Company, James K. Benton, King Features Syndicate, Nintendo of America, Inc., Sanrio, Inc., Those Characters From Cleveland, Inc., Universal Studios Licensing LLLP

and Viacom International Inc. will move this Court before the Honorable Richard M. Berman, United States District Judge, United States District Court for the Southern District of New York, United States Courthouse, Courtroom 14A, 500 Pearl Street, New York, New York 10007, on a date and time to be designated by the Court, for an order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the Amended Complaint for Failing to State a Claim Upon Which Relief May Be Granted.

Dated: September 7, 2007
New York, New York

Respectfully submitted,

LEVINE SULLIVAN KOCH & SCHULZ, L.L.P.

By: /s/ Robert Penchina
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